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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : James D. Schlick et al.
Application No. : 09/493,783
Filed : January 28, 2000
For : METHOD AND APPARATUS FOR PROBLEM SOLVING,
DECISION MAKING AND STORING, ANALYZING, AND
RETRIEVING ENTERPRISEWIDE KNOWLEDGE AND
CONCLUSIVE DATA
Examiner : Choi, K
Attorney's Docket : KT-001AX

Group Art Unit: 2163

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on Aug 27, 2001.

By:

James F. Thompson
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Registration No. 36,699

Attorney for Applicant(s)

COMMENTS ON PROTEST FILED UNDER 37 C.F.R. § 1.291(a)

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant wishes to make the following observations and comments with respect to the protest filed on 23 July, 2001.

It appears that the true party in interest is not explicitly identified in the protest. The protest is signed by an attorney

for Dorsey & Whitney, LLP, and does not identify any party on whose behalf the protest is being filed. It is assumed that the references to "Protester" appearing in the protest are references to either Dorsey & Whitney, LLP or the signing attorney, Mr. Ackley.

On pages 3-5 of the protest, reference is made to material having the title An Introduction to Database Systems. This material is not cited in the IDS accompanying the protest, and no copy of this material has been provided.

On pages 4-5 of the protest, there are statements alleging the presence of certain functionality in the Decision Focus software, such as the use of indexed files, normalized storage, and the structured query and retrieval of data from files. These statements appear to be made by Dorsey & Whitney, LLP and/or Mr. Ackley. However, there is no evidence concerning the qualifications of these parties to draw the conclusions inherent in these statements, nor is there any indication of any informational basis upon which these statements rely. These statements amount to unverified and unsupported assertions, and should be given no weight in determining the patentability of the claims of this application.

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Applicant reserves the right to contest any factual assertions appearing in the protest until such time as such assertions are adopted by the Examiner in a rejection of the claims of this application.

Respectfully submitted,

JAMES D. SCHLICK ET AL.

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